

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

EIJA HEWARD,)
Plaintiff,)
vs.) C. A. No. 04-12038-JLT
CITY OF BROCKTON)
BROCKTON PUBLIC SCHOOLS AND)
DONALD BURRELL, INDIVIDUALLY AND)
AS PRINCIPAL OF EAST JUNIOR HIGH)
SCHOOL, CITY OF BROCKTON,)
Defendants.)

**PLAINTIFF'S MOTION TO EXTEND TIME TO FILE HER
OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

Now comes the Plaintiff, Eija Heward, and moves this Court to extend the time for the Plaintiff to file her Opposition to the Defendants' Motion to Dismiss an additional two weeks from the date it is due, December 2, 2004, to December 16, 2004. Plaintiff, as part of her opposition to Defendants' Motion to Dismiss is preparing an amended complaint and will file the appropriate Motion to Amend permissible by F.R.C.P. 15(a).

The aforesaid Amended Complaint will eliminate six of the current nine counts of causes of action, leaving three counts, which will provide more specific detail and will present a more concise complaint, narrowing the issues and clarifying Plaintiff's causes of action and requests for remedies and relief.

The Plaintiff in an appropriate filing will voluntarily dismiss all claims eliminated by the Amended Complaint.

The Defendants have assented to the within Motion.

WHEREFORE, the Plaintiff requests this extension of time be allowed by this Honorable Court.

Assented to:

City of Brockton, et al, Defendants
By their attorney


Lorna M. Hebert, (BBO # 559493)
Murphy, Hesse, Toomey & Lehane, LLP
P.O. Box 9126
Quincy, MA 02269-9126
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Respectfully submitted,

Eija Heward, Plaintiff
By her attorney


Joseph R. Gallitano, (BBO #183700)
34 Main Street Ext., Suite 202
Plymouth, MA 02360
(508) 746-1500

Dated: November 30, 2004

CERTIFICATE OF SERVICE

I, Joseph R. Gallitano, hereby certify that I have served a copy of the within Motion to Extend Time upon all counsel of record this 30th day of November, 2004.



A handwritten signature in black ink, appearing to read "JR Gallitano". Below the signature, the name "Joseph R. Gallitano" is printed in a smaller, standard font.